

# **REPORT OF THE YOUNG-SOTO MISSION TO THE 2017 PUERTO RICO PLEBISCITE ON STATUS**

## **EXECUTIVE SUMMARY**

Article IV, Section 3, Clause 1 of the U.S. Constitution specifies that the admission of new states to the United States is a decision of Congress. The Government of Puerto Rico organized a June 11, 2017 Plebiscite on whether to request to be a State of the United States. Representative Don Young (R-AK) and Representative Darren Soto (D-FL) traveled to Puerto Rico to observe the vote. Both are members of the Subcommittee on Indian, Insular and Alaskan Affairs, the committee with jurisdiction over Puerto Rican affairs.

We prepared this comprehensive report to assist Members in making their admission decision. During the trip, we were briefed by Commonwealth Government Officials, as well as by members of both the Popular Democratic Party (PPD) and New Progressive Party (PNP). We have not received information from the Puerto Rico Independence Party (PIP). Our delegation, which included Rhode Island Secretary of State Nellie Gorbea, observed polling places throughout the day. We were accompanied by Puerto Rico Secretary of State Luis G. Rivera Marin and PRFAA Secretary Carlos Mercader.

The Puerto Rican people voted to join the Union by an overwhelming margin. We deem the election to have been free, fair, and open. It is now incumbent upon Congress to consider and vote on the admission of Puerto Rico to the Union.

## **ELECTION CONTEXT**

The Plebiscite was publicly announced on February 3, 2017 upon the passage of the Puerto Rico legislature's Act No. 7-2017 (S.B.51), the Puerto Rico Immediate Decolonization Act. [Appendix A] The Act provided for public notices and advertisements leading up to the plebiscite. Puerto Rico residents had until April 28 to register to vote. Absentee ballots were made available to members of the Military and those abroad. Puerto Rico Department of State officials visited hospitals and prisons leading up to the election to ensure access to voting for these eligible voters. Prisoners are authorized to vote in Puerto Rico.

## **ELECTION PROCEDURES**

The June 11, 2017 vote took place from 8 AM to 3 PM on a Sunday when voters are off work. If a voter is in line at 3:00pm or a poll worker, they can still vote. Puerto Rico requires every voter to have a voter identification card and to coat their finger with ink that is visible under fluorescent light to ensure no duplicate voting. Rep. Young tested the ink process by placing ink on his index finger. He attempted to wash it off unsuccessfully, validating this security measure. Ballots are also initialed by officials from the 3 major parties, but as discussed at length below, only PNP officials appeared at most voting locations. Elections officials reconcile the machine vote count with the number of ballots as an additional verification process. [Composite Appendix B]

## **PERSONAL OBSERVATIONS**

We observed elections officials and poll workers at 4 sites including: 1) St Johns School, in El Condado; 2) Perpetual Socorro Catholic School in El Condado; 3) Colegio La Piedad in Carolina; and 4) Escuela de Colombia in San Juan. We observed easy and orderly access to the polls, poll workers using the identification and fingerprint process, ample ballots, functioning vote machines (except one that was replaced within 10 minutes). We also observed U.S. Federal Judge Jose Fuste voting at the St. Johns

School location, who confirmed his satisfaction with the orderly elections process. [Composite Appendix B]

## **BALLOT DESCRIPTION**

The ballot was entitled “Plebiscite for the Immediate Decolonization of Puerto Rico”. It contained three choices: Statehood, Free Association/Independence, and Current Territorial Status. Each of these options was explained in the verbiage below each choice. Voters must draw an “X” or other mark inside the box above their choice. If a voter’s mark goes outside the box, the vote will be invalidated. [Appendix C]

## **PREVIOUS ELECTION RESULTS**

Turnout in the 2016 Primary Election totaled 629,240 including the PNP and Popular primaries. Independents did not conduct a primary. Turnout in the 2016 General Election totaled 1,597,000. The turnout for the 2017 Plebiscite was 517,216 with 99.48% reporting as of the date of this report. Statehood prevailed with 502,616 votes, or 97.18% of the votes cast. Territorial, or Commonwealth, Status garnered 6,821 votes, or 1.5%. Independence garnered 7,779 votes, or 1.5%. [Appendix D]

## **DISSENTING VIEWS**

The Popular Democratic Party (PPD) officially passed a resolution on or around June 7, 2017 urging its members not to vote in the Plebiscite, which has been referred to as a “Boycott”. There is no legal provision in Puerto Rico or federal election law that recognizes this concept. Popular Party Officials have expressed several concerns. [Composite Appendix E]

First, the preamble used the phrase “Decolonization” which they view as a politically charged and/or biased term. They feel this term is inconsistent with their view that the Island is a Commonwealth, a governmental entity that is allegedly unique, distinguishable and superior in governmental powers to a Colony.

Second they assert that the term “Current Territorial Status” was also a politically charged and/or biased term. They argue that the option should have been identified as “Commonwealth”, which is consistent with the aforementioned views.

Third, The Omnibus Appropriation Act for Fiscal Year 2014 (Public Law No. 113-76) set up a process for the U.S. Department of Justice (DOJ) to review ballot language in order award \$2.5 million in federal funding for the Plebiscite. [Appendix F] DOJ rejected the original ballot which only included Statehood or Independence. The updated ballot included all three historic options. Popular Party Officials have also asserted that the Puerto Rico Department of State failed to provide 45 days’ notice of the new ballot language in compliance with H.R.2787 (H.Rept. 113-171).

DOJ has not issued further responses to date, possibly putting the \$2.5 million om federal funding in jeopardy if the election is determined to be non-compliant.

The Independence Party also had called for a boycott of the election. To date, we have not received any additional information on their position.

## **PARTISAN AFFILIATION**

Puerto Rico’s three major parties are organized primarily based upon their position on the Island’s status: statehood (PNP), commonwealth (POP) or independence (IND). Thus, they do not follow traditional

Democrat, Republican, No Party Affiliation, or other minor party affiliations. However, most of Puerto Rico's elected officials have nonetheless affiliated themselves with America's traditional major parties. Here is a general breakdown:

Governor Ricardo Rossello – Democrat

Resident Commissioner Jenniffer Gonzalez-Colon – Republican

President of the Senate Thomas Rivera Schatz - Republican

Speaker of the House Carlos Johnny Méndez - Republican

## **CONCLUSION**

Ultimately it is Congress' decision to admit Puerto Rico as a State. See Article IV, Section 3. While an election is not required, it has been traditional in our history for one to be held before admission. Each member of Congress can consider any and all of the foregoing factors among others that are consistent with the U.S. Constitution.

## **APPENDICES**

A - Act No. 7-2017 (S.B.51), the Puerto Rico Immediate Decolonization Act

B – Plebiscite Photos

C – Sample Ballot

D – Election Results

E - Popular Democratic Party Letters in Opposition to Plebiscite

F - H.R. 3547 / The Omnibus Appropriation Act for Fiscal Year 2014 (Public Law No. 113-76)

(S. B. 51)

(No. 7-2017)

(Approved February 3, 2017)

### AN ACT

To enact the “Puerto Rico Immediate Decolonization Act”; provide the rules to conduct plebiscites that comply with the Federal Government proposal set forth in “Public Law 113-76 of 2014” with status options that are final, permanent, non-colonial, and non-territorial, and compatible with the Constitution, laws, and policies of the United States of America, and with International Law; to appropriate funds; and for other purposes.

### STATEMENT OF MOTIVES

*“No man is good enough to govern another man, without the other’s consent.”*

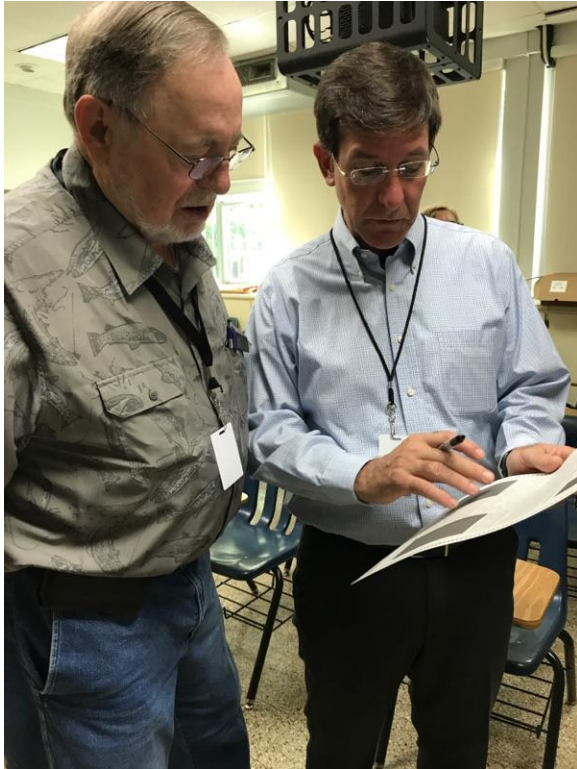
Abraham Lincoln

In the context of United States constitutional law, the term “territorial” is simply a euphemism to avoid saying “colonial.”

In the 21<sup>st</sup> Century, applying the inequalities of the “territory clause” of the Constitution of the United States to the People of Puerto Rico, who are U.S. citizens at birth, and who, through their vote, have rejected colonialism and claimed equal rights and obligations by virtue of said citizenship, is as archaic and morally questionable as applying other constitutional clauses that allowed race-based slavery and the disenfranchisement of women. The sovereign powers of a democratic government should only be exercised according to the will and consent of the governed.

This “territory clause” (Article IV, Section 3(2)) was passed during the birth and geographical expansion of our Island. Said clause still empowers the Federal Government to exercise absolute sovereign power over Puerto Rico and the lives of its inhabitants, which includes unilaterally establishing “all needful rules and

## Appendix B – Plebiscite Photos



Rep Young reviews ballot with PR Secretary of State Rivera Marin



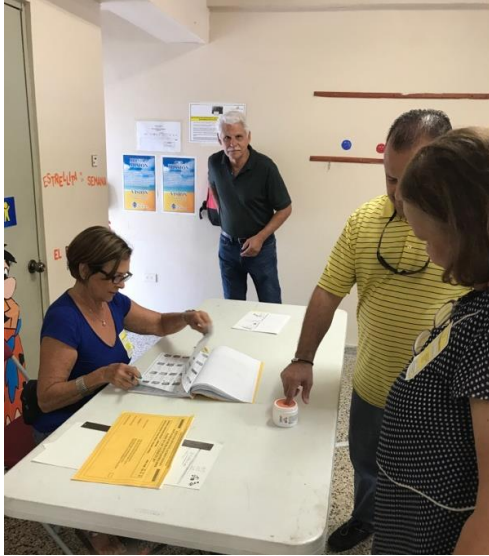
Rep Young observes ballot counting machine with PRFAA Secretary Carlos Mercader



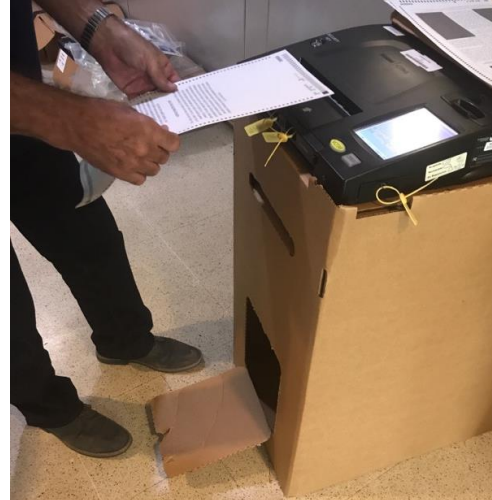
Rep Soto reviews fingerprint verification.



U.S. Federal Judge Jose Fuste votes in El Condado



Poll worker checks in voters



Poll worker submits ballot to counting machine






## Appendix C – Sample Ballot

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COMISIÓN ESTATAL DE ELECCIONES  
STATE ELECTIONS COMMISSION  
11 de junio de 2017 / June 11, 2017

PLEBISCITO Y PAPELETA / PLEBISCITE AND BALLOT  
PLEBISCITO PARA LA DESCOLONIZACIÓN INMEDIATA DE PUERTO RICO  
PLEBISCITE FOR THE IMMEDIATE DECOLONIZATION OF PUERTO RICO

 <input type="checkbox"/> <b>ESTADIDAD</b> <i>Statehood</i>	 <input type="checkbox"/> <b>LIBRE ASOCIACIÓN / INDEPENDENCIA</b> <i>Free Association / Independence</i>	 <input type="checkbox"/> <b>ACTUAL ESTATUS TERRITORIAL</b> <i>Current Territorial Status</i>
<p>Con mi voto, reitero mi petición al Gobierno Federal para comenzar de inmediato el proceso para la descolonización de Puerto Rico con la admisión de Puerto Rico como estado de la unión de los Estados Unidos de América. Soy consciente de que el resultado de esta petición de Estadidad, conllevaría iguales derechos y deberes con los demás estados; y la unión permanente de Puerto Rico con los Estados Unidos de América. Soy consciente, además, que mi voto en reclamo de la Estadidad significa mi apoyo a toda gestión dirigida a la admisión de Puerto Rico como un estado de la Unión y a toda legislación estatal o federal dirigida a establecer la igualdad de condiciones, la Representación Congressional y el Voto Presidencial para los ciudadanos americanos de Puerto Rico.</p> <p><i>With my vote, I reiterate my request to the Federal Government to immediately begin the process for the decolonization of Puerto Rico with the admission of Puerto Rico as a state of the United States of America. I am aware that the result of this request for Statehood would entail equal rights and duties with the other states, and the permanent union of Puerto Rico with the United States of America. I am also aware that my vote claiming Statehood means my support to all efforts towards the admission of Puerto Rico as a state of the Union, and to all state or federal legislation aimed at establishing equal conditions, congressional representation and the presidential vote for the American citizens of Puerto Rico.</i></p>	<p>Con mi voto realizo la primera petición al Gobierno Federal para comenzar el proceso de descolonización a través de: (1) "Libre Asociación"; prefiero que Puerto Rico adopte un estatus fuera de la cláusula territorial de la Constitución de los Estados Unidos, que reconozca la soberanía del Pueblo de Puerto Rico como una completa y absoluta Independencia. La Libre Asociación se basaría en una asociación política libre y voluntaria, cuyos términos específicos se acordarían entre Estados Unidos y Puerto Rico como naciones soberanas. Dicho acuerdo dispondría el alcance de los poderes jurisdiccionales que el Pueblo de Puerto Rico autorice dejar en manos de Estados Unidos y retendría los restantes poderes o autoridades jurisdiccionales; o (2) La Proclamación de la "Independencia", demandando al Gobierno de los Estados Unidos que, en el ejercicio de su poder para disponer del territorio, reconozca la soberanía nacional de Puerto Rico como una nación totalmente independiente y que el Congreso Federal promulgue la legislación necesaria para iniciar la negociación y la transición hacia la nación independiente de Puerto Rico. Mi voto por la Independencia representa, además, mi reclamo de los derechos, deberes, poderes y prerrogativas de las repúblicas independientes y democráticas; mi apoyo a la ciudadanía puertorriqueña; y un "Tratado de Amistad y Cooperación" entre Puerto Rico y los Estados Unidos con posterioridad al proceso de transición.</p> <p><i>With my vote, I make the initial request to the Federal Government to begin the process of the decolonization through: (1) Free Association; Puerto Rico should adopt a status outside of the Territory Clause of the Constitution of the United States that recognizes the sovereignty of the People of Puerto Rico as a complete and unencumbered Independence. The Free Association would be based on a free and voluntary political association, the specific terms of which shall be agreed upon between the United States and Puerto Rico as sovereign nations. Such agreement would provide the scope of the jurisdictional powers that the People of Puerto Rico agree to confer to the United States and retain all other jurisdictional powers and authorities; (2) Proclamation of Independence. I demand that the United States Government, in the exercise of its power to dispose of territory, recognize the national sovereignty of Puerto Rico as a completely independent nation and that the United States Congress enact the necessary legislation to initiate the negotiation and transition to the independent nation of Puerto Rico. My vote for Independence also represents my claim to the rights, duties, powers, and prerogatives of independent and democratic republics, my support of Puerto Rican citizenship, and a "Treaty of Friendship and Cooperation" between Puerto Rico and the United States after the transition process.</i></p>	<p>Con mi voto expreso que deseo que Puerto Rico se mantenga como está hoy, bajo los poderes plenarios del Congreso y sujeto a la cláusula territorial de la Constitución de Estados Unidos que en su Artículo IV, Sección 3 establece que: "El Congreso tendrá facultad para ejecutar actos de disposición y para formular todos los reglamentos y reglas que sean precisos con respecto a los territorios y otros bienes que pertenezcan a los Estados Unidos, y nada de lo que esta Constitución contiene se interpretará en un sentido que cause perjuicio a los derechos aducidos por los Estados Unidos o por cualquier Estado particular".</p> <p><i>With my vote, I express my wish that Puerto Rico remains as it is today, subject to the powers of the Congress and subject to the Territory Clause of the United States Constitution that in the Article IV, Section 3 states: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State".</i></p>

En caso de que la "Libre Asociación/Independencia" obtenga la mayoría de votos válidos en este Plebiscito, quedaría automáticamente convocado un Referéndum el 8 de octubre de 2017, en cuya papeleta solamente aparecerían la "Libre Asociación" y la "Independencia".

*In the case that "Free Association/Independence" obtains the majority of valid votes cast in this Plebiscite, a Referendum would be automatically convened on October 8, 2017, in which only "Free Association" and "Independence" would appear on the ballot.*

Carolina 108

## Appendix D – Election Results


Última Actualización de Datos: Jun 11 2017 8:54PM

Idioma Seleccionado: Español

### CONSULTA DE ESTATUS

#### RESULTADOS ISLA

Orden: Resultados

	Votos	Por ciento
Estadidad		
	502,616	97.18%
Libre Asociación/Independencia		
	7,779	1.50%
Actual Estatus Territorial		
	6,821	1.32%
TOTAL: 517,216		

*OTROS VOTOS		PARTICIPACIÓN	
PAPELETAS NO ADJUDICADAS	1	INSCRITOS EN COLEGIOS REPORTADOS	2,254,067
PAPELETAS SIN VALOR DE ADJUDICACIÓN	983	TOTAL DE PAPELETAS	518,199
TOTAL DE PAPELETAS	518,199	PARTICIPACIÓN	22.99%
AÑADIDOS A MANO		TOTAL DE INSCRITOS	2,260,804
TOTAL DE SOBRES DE ELECTORES QUE VOTARON AÑADIDOS A MANO	5,968		

COLEGIOS REPORTADOS: 4563 DE 4587 PARA UN 99.48%



## E - Popular Democratic Party Letters in Opposition to Plebiscite



PAN • TIERRA • LIBERTAD

Héctor Ferrer  
President  
Popular Democratic Party

June 7, 2017

Re: Puerto Rico's status plebiscite

Dear Congressman:

As President of Puerto Rico's Popular Democratic Party, I am compelled to provide some background and context on next Sunday's status plebiscite.

The event is being held ignoring the express wish of Congress to have the Department of Justice certify that the ballot and educational materials are consistent with the Constitution, the laws and policies of the United States.

I am referring to Public Law No. 113-76, the Omnibus Appropriations Act for Fiscal Year 2014, that included an Edward Byrne Memorial Justice Assistance Grant of \$2.5 million for a plebiscite of the people of Puerto Rico. The grant calls upon the Attorney General to make a finding that the plebiscite "ballot is not incompatible with the Constitution, and laws, and policies of the United States." This was done in response to the controversial results of the 2012 Puerto Rico plebiscite that many believed produced an artificial majority for statehood through its peculiar two question structure.

During his campaign, the pro-statehood Governor insisted on the validity of the 2012 results, rebuffing the appropriation as unnecessary, and suggested that he would implement instead a "Tennessee Plan" approach designating two senators and five members of congress who would show up at the Capitol to demand their seats. He later changed his mind and called for a plebiscite to "validate" the 2012 results, to be followed up by a Tennessee Plan.

Since support for statehood and commonwealth are about evenly split (the difference in 2012—even considering how questionable that process was— was only 6,000 votes), to assure a statehood win that would "validate" the 2012 results, the Governor signed into law a plebiscite that did not include the commonwealth option. This crudely undemocratic approach was rejected by DOJ who found that the current status must be included in the ballot. The DOJ also found that the ballot made misleading claims regarding statehood, namely the claim that statehood is the only option that guarantees U.S. citizenship. DOJ found that U.S. citizenship is unconditionally guaranteed under the current status.

At first, the Governor stated that he will go forward with the plebiscite as legislated despite DOJ's rejection, but within hours reconsidered and said that the law would be amended to accommodate DOJ's observations. The Governor reiterated his political claim that such a

thing as "the Commonwealth" is nonexistent and thus that the status quo option would be included as "current territorial status" in the ballot.

After signing the amendments into law, the Governor declared, party-and-judge style, that the ballot was now compliant with DOJ's demands. The DOJ responded that it would evaluate the amendments, a matter that would require time. The Governor, however, decided that he will not wait for DOJ's evaluation and, thus, kept the June 11 plebiscite date.

The Popular Democratic Party, which groups the Island's commonwealth supporters, decided to boycott the event. We find that the ballot and educational materials are still at odds with the Constitution, laws and policies of the United States.

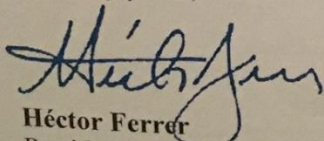
Of particular concern to you should be the ballot's title: "Plebiscite for the Immediate Decolonization of Puerto Rico." The United States does not consider itself a colonial power, particularly with regards to Puerto Rico. According to the U.S. Supreme Court, in 1952 "the Puerto Rico Constitution created a new political entity, the Commonwealth of Puerto Rico or, in Spanish, Estado Libre Asociado de Puerto Rico." *Puerto Rico v. Sanchez Valle*, 136 S. Ct. 1863, 1869 (2016). This was a consensual process, ratified by Puerto Ricans in referenda and recognized by the United Nations through resolution 748 in 1953.

For us, this offends the most minimal sense of fair play. First, the Governor says he will not use the term "commonwealth" in the ballot because Puerto Rico is just a territory plain and simple; second, the law states that the term "territory" is a euphemism for colony; and third, the process is hailed as "for the immediate decolonization of Puerto Rico." Thus, in essence, the ballot openly deplores one of the options.

As the 2007 Report by the President's Task Force on Puerto Rico's Status explained, "[w]hen 'commonwealth' is used to describe the substantial political autonomy enjoyed by Puerto Rico, the term appropriately captures Puerto Rico's special relationship with the United States." Unless and until the Governor opts to designate the commonwealth option by its name, and removes all slurs from the ballots title, we refuse to participate.

Thus, this Sunday the Governor of Puerto Rico will announce that the people have overwhelmingly voted in favor of Puerto Rico becoming the nation's first Hispanic State. The results are so preordained that this week, without a single vote cast, the Governor signed his Tennessee Plan into law.

Cordially yours,



**Héctor Ferrer**  
President



**RAFAEL HERNÁNDEZ COLÓN**

Governor of Puerto Rico  
1973-1976; 1985-1992

June 12, 2017

**Re: Statehood Petition violating  
P.L. 113-76 113th Congress**

Dear Congressman:

The plebiscite just held in Puerto Rico presents a bogus petition for statehood to Congress. A contrived plebiscite fabricated an artificial majority for statehood by disenfranchising hundreds of thousands of Commonwealth supporters. This is the second time that a pro-statehood government of Puerto Rico presents to Congress a petition for statehood churned out by a ballot designed to produce that result. The first time was in 2012. Congress did not accept that petition as faithfully representing the will of Puerto Rico as to its political future.

In order to obtain clear and credible results Congress passed Law PL 113-76 which required that the ballot for such a plebiscite provide options consistent with the Constitution, the Laws and policies of the United States. Law 113-76 established a procedure whereby the Attorney General would review and certify ballot compliance, and provided a grant of \$2,500,000 for voter education on the ballot once approved by the Attorney General. Under its Law 7 of 2017, the government of Puerto Rico purported to follow this procedure. However upon objection from the DOJ because it did not include Commonwealth in the ballot it amended the law in a questionable way and chose not to follow the procedure outlined in Law 113-76 and for a second time presents to Congress a petition for statehood based on a sham plebiscite.

The second ballot did not include Commonwealth by name<sup>1</sup> and neither did it describe that status option as provided by the U.S. Supreme Court and the Laws of the United States. Instead, Commonwealth was portrayed as the subject of the plebiscite for the decolonization of Puerto Rico; the ballot requested a vote for Puerto Rico to cease being a colony of the United States as a Commonwealth in order to either become a state or an independent country.

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<sup>1</sup> In *Puerto Rico v. Sanchez Valle*, 136 S.Ct. 1863, 1869 (2016), the United States Supreme Court has recognized categorically the name of the current political status as Commonwealth:

**"The Puerto Rico Constitution created a new political entity, the Commonwealth of Puerto Rico-or, in Spanish, Estado Libre Asociado de Puerto Rico."**

June 12, 2017

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The amended ballot was presented to the DOJ by the government of Puerto Rico on or about the 22th of April 2017. Commonwealth supporters presented their objections to the amended ballot. The DOJ informed the government that it needed time to review the ballot as amended. The government of Puerto Rico then informed the DOJ that it would not wait for the review and would go forward with the plebiscite. The DOJ then told the government of Puerto Rico that it would not review the amended ballot. The government of Puerto Rico did not inform the people of Puerto Rico that the DOJ was not going to review the amended ballot. Commonwealth supporters, the media, and the rest of the people of Puerto Rico awaited the review from the DOJ up to the end of the last week when it became apparent that it was not forthcoming.

The ballot approved by the pro-statehood Legislature, but not by the Attorney General, called for a vote to decolonize Puerto Rico and described the option that pretends to include Commonwealth as "the current territorial status" subject to the plenary powers of Congress. The Statements of Motives of the plebiscite law states that "In the context of United States constitutional law. The term 'territorial' is simply a euphemism to avoid saying 'colonial'." This misrepresentation of Commonwealth was intended to make it impossible for Commonwealth supporters to vote for Commonwealth and effectively disenfranchised them from voting in the plebiscite. Commonwealth supporters, as the federal courts, believe that Commonwealth is consistent with the U.S. Constitution and laws and policies of the United States. Commonwealth is a non colonial status recognized as such by the United Nations thereby ceasing its oversight and removing Puerto Rico from its list of colonies in 1953.<sup>2</sup>

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<sup>2</sup> In 1953 the General Assembly of the United Nations accepted the U.S. representations as to the change from colonial status brought about by Commonwealth and proceeded to exempt the U.S. from its obligations to inform on the development of self government in Puerto Rico through Resolution 748 (VIII) of stating that:

"In the framework of their Constitution and of the compact agreed upon with the United States of America, the people of the Commonwealth of Puerto Rico have been invested with attributes of political sovereignty which clearly indentify the status of self-government attained by the Puerto Rico people as that of an autonomous political entity;

Due to these circumstances, the Declaration regarding Non-Self-Governing Territories [colonies] and the provisions established it in Chapter XI of the Charter can no longer be applied to the Commonwealth of Puerto Rico;"

Year after year after 1960 the U.S. has opposed resolutions in the Decolonization Committee of the United Nations presented by Cuba precisely for the decolonization of Puerto Rico. For 47 years the United States has sustained that Commonwealth is not a colonial relationship subject to decolonization procedures by the Decolonization Committee of the United Nations.

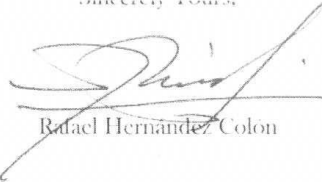
June 12, 2017

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Given that Commonwealth status was portrayed as a colony on the ballot Commonwealth supporters had no alternative but to abstain *en masse* from participating in this plebiscite purported to be an exercise to determine the future political status of Puerto Rico allegedly in compliance with P.L. 113-76. Had Commonwealth supporters had at least the opportunity to vote for "none of the above" as they did in the 1998 plebiscite legislated by pro-statehood party, they would have participated and defeated statehood as they did in 1998, but that option was not on the ballot. Neither could they vote in blank because the Plebiscite Law provided that these votes would not be certified by the Electoral Commission. Commonwealth voters were thus disenfranchised.

I trust that you will understand that this plebiscite does not represent the will of the people of Puerto Rico and that the bogus petition for statehood must be discarded.

Sincerely Yours,

A handwritten signature in dark ink, appearing to read 'Rafael Hernández Colón', with a long horizontal stroke extending to the right.

Rafael Hernández Colón



F - H.R. 3547, The Omnibus Appropriation Act for Fiscal Year 2014 (Public Law No. 113-76), provisions on Puerto Rico plebiscite funding.

PUBLIC LAW 113-76—JAN. 17, 2014

128 STAT. 61

is for transfer to the National Institute of Standards and Technology to support scientific working groups.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) (“the 1994 Act”); the Omnibus Crime Control and Safe Streets Act of 1968 (“the 1968 Act”); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) (“the 1990 Act”); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) (“the 2005 Act”); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) (“the Adam Walsh Act”); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) (“the 2002 Act”); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) (“the 2013 Act”); and other programs, \$1,171,500,000, to remain available until expended as follows—

(1) \$376,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$1,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, \$1,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, \$15,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), \$4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, \$2,500,000 is for objective, nonpartisan voter education about, and a plebiscite on, options that would resolve Puerto Rico’s future political status, which shall be provided to the State Elections Commission of Puerto Rico, \$5,000,000 is for an initiative to support evidence-based policing, and \$2,500,000 is for an initiative to enhance prosecutorial decision-making;

(2) \$180,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater